

DIRECTIVE

WORKFORCE INVESTMENT ACT

Number: WIAD03-5

Date: July 31, 2003

69:141:va:7083

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: TITLE I ELIGIBILITY **(INACTIVE)**

EXECUTIVE SUMMARY:

Purpose:

This directive provides updated requirements and technical assistance to California's workforce investment areas about determining applicant eligibility to participate in the Workforce Investment Act's (WIA) Title I-B adult, dislocated worker, and youth programs.

Changes to the Technical Assistance Guide (TAG) are briefly enumerated below in the Policy and Procedures portion of this directive.

Scope:

The requirements in this directive apply to Local Workforce Investment Areas (LWIA) and subrecipients responsible for determining the eligibility of applicants for Title I-B adult, dislocated worker, and youth activities.

Effective Date:

This directive is effective immediately.

REFERENCES:

- WIA of 1998; Title I: Workforce Investment System
- Title 20 Code of Federal Regulations (CFR) Part 652, et al.

STATE-IMPOSED REQUIREMENTS:

By the authority provided to State and local governments to establish their own policies, interpretations, guidelines and definitions (Title 20 CFR Section 661.120), this directive and its accompanying TAG contain State-imposed requirements, which are printed in ***bold, italic type***.

FILING INSTRUCTIONS:

This directive supersedes WIA Directive WIAD02-11, dated February 3, 2003, and finalizes Draft Directive WIADD-53, issued for comments on May 14, 2003. Retain this directive until further notice.

BACKGROUND:

Title I-B of WIA authorizes a workforce investment system to provide workforce preparation and employment to eligible adults, dislocated workers, and youth. Section 661.120 of the WIA regulations provides authority to State and local governments to establish their own eligibility policies, procedures, and definitions as long as they are consistent with WIA and the WIA regulations.

POLICY AND PROCEDURES:

The following changes to the State's Eligibility TAG have been made:

1. Other Responsible Adult is defined.
2. For purposes of Category B, references to the term "guardian" refer to "LEGAL" guardian in the WIA definition of "family."
3. Hyperlink to INS Form I-9 is activated.
4. The term "electronic link" is changed to "hyperlink."
5. The term "Selective Service Status Advisory Opinion Letter" is changed to "Selective Service Status Information Letter."
6. Grammar and punctuation errors are corrected without changing the meaning or content to the State's policy and guidance.

The LWIAs have opted for a variety of ways to comply with the State's requirement to make their policies, procedures, interpretations, guidance, and definitions available to all front line staff responsible for determining eligibility. The TAG was formatted to allow local areas to use form fields to incorporate their policies, procedures, interpretations, guidance, and definitions; however, that does not preclude other possibilities for locally releasing State and local eligibility guidance.

The LWIAs shall review the TAG carefully and review their WIA eligibility policies, procedures, interpretations, guidance and definitions to assure that they comply with the requirements of the TAG. The following are some of the major items contained in the TAG:

- ***The LWIAs are required to develop local policies, procedures, interpretations, guidance and definitions related to eligibility.***
- ***Local policy must be revised to comply with any future federal or State requirements.***

- ***State and local policies, procedures, interpretations, guidance and definitions included within the TAG must be communicated and implemented within the local area.***
- ***In accordance with the provisions of the TAG, LWIAs are responsible for ensuring that adequate documentation (including applicant statements) is contained in their participant case files to minimize the risk of disallowed costs.***

ACTION:

Bring this directive to the attention of all appropriate staff and all subrecipients. ***Ensure that the content of the TAG, including your LWIA's policies, procedures, interpretations, guidance, and definitions are available to all front line staff responsible for determining eligibility.***

INQUIRIES:

Please direct all inquiries about this directive to Georganne Pintar Baldwin, Local Policy Guidance Unit Manager, at (916) 654-7611.

/S/ BOB HERMSMEIER
Chief
Workforce Investment Division

Attachment is available on the Internet:

WIA Eligibility Technical Assistance Guide ([PDF](#)) [198k] ([MS Word](#)) [381k]